

HOUSE BILL No. 1410

DIGEST OF INTRODUCED BILL

Citations Affected: IC 5-11-1-4; IC 13-21-3-16.

Synopsis: Solid waste management districts. Extends the period in which a solid waste management district that owns its own landfill must file a report with the state board of accounts. Exempts such a district from the requirement that the fiscal bodies of the counties in which the district is located must approve the use of certain property tax revenue within the district.

Effective: July 1, 2005.

Yount, Koch, Messer

January 13, 2005, read first time and referred to Committee on Environmental Affairs.

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First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

HOUSE BILL No. 1410

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 5-11-1-4 IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE JULY 1, 2005]: Sec. 4. (a) The state examiner shall
3 require from every municipality and every state or local governmental
4 unit, entity, or instrumentality financial reports covering the full period
5 of each fiscal year. Except as provided by subsection (b), these reports
6 shall be prepared, verified, and filed with the state examiner ~~within not~~
7 **later than** thirty (30) days after the close of each fiscal year.

8 (b) The following shall prepare, verify, and file the reports required
9 under subsection (a) not later than sixty (60) days after the ~~end~~ close of
10 each **fiscal** year:

11 (1) A municipal government.

12 (2) A public library.

13 **(3) A district (as defined in IC 13-11-2-58(a)) that owns a**
14 **landfill (as defined in IC 13-11-2-116(c)).**

15 SECTION 2. IC 13-21-3-16 IS AMENDED TO READ AS
16 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 16. (a) The
17 requirements of this section:



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(1) are in addition to the requirements set forth in IC 6-1.1-18.5-7(b); and

(2) do not apply to a district that owns a landfill.

(b) To be eligible to include within the district's budget for the following year tax revenue derived from the imposition of a property tax, the first year that a property tax will be imposed and any subsequent year in which the proposed tax levy will increase by five percent (5%) or more, a board must present identical resolutions to each of the county fiscal bodies within the district seeking approval for the use of property tax revenue within the district. The resolution must state the proposed property tax levy and the proposed use of the revenue. The resolution must be stated so that:

(1) a "yes" vote indicates approval of the levy and the proposed use of property tax revenue within the district; and

(2) a "no" vote indicates disapproval of the levy and the proposed use of property tax revenue within the district.

(c) For a resolution described in subsection (b) to be approved by the county fiscal body:

(1) the county fiscal body must record the vote taken on the resolution under subsection (b) before May 1 of the year in which the vote was taken; and

(2) the recorded vote must indicate approval of the use of property tax revenue within the district.

(d) If all of the county fiscal bodies within a district do not record the approval described in subsection (c) before May 1 of the year in which the vote under subsection (b) was taken, the board may not:

(1) impose; or

(2) include within the budget of the board;

a property tax for the year following the year in which the vote was taken.

(e) Notwithstanding subsection (d), after the first year a tax is imposed under this section, the resolution required by subsection (b) for a district that is located in more than two (2) counties need only be approved by a majority of the county fiscal bodies for the counties in which the district is located.

(f) A district may not issue bonds to be repaid, directly or indirectly, with money or property tax revenue of the district until a majority of the members of each of the county fiscal bodies within a district passes a resolution approving the bond issue.

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